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E.O. 12958: DECL: 09/26/2016

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SUBJECT: LIFE BEFORE THE COUP - EC COURT VERDICT

REF: BANGKOK 4490 (COURT CONVICTS ELECTION

COMMISSIONERS)

Classified By: Political Counselor Susan M. Sutton, Reasons 1.4 (B,D)

¶1. (U) Days before the coup, the Criminal Court found the three former Election Commissioners (EC) guilty of electoral law violations during their oversight of the annulled April 2 elections. Specifically, the court ruled on September 15 that the Commissioners purposefully stalled action on the Democrat Party's allegation that Prime Minister Thaksin's Thai-Rak-Thai Party (TRT) bankrolled small parties to participate in that election. Each received two-year jail sentences plus a ten-year revocation of voting rights, and each was released on bail for 120,000 baht (USD 3250) pending appeal within thirty days. This is the second guilty verdict rendered against the former EC (reftel).

¶2. (C) While the first verdict has been appealed by all three individuals, court officials could not confirm whether appeals have been filed for the second verdict. They could only confirm that both cases remain ongoing in the judiciary and commented that the coup does not affect either of the cases.

¶3. (C) Comment: The coup has put "on hold" various court cases from both pro- and anti-Thaksin factions. This verdict is worth noting now for two reasons: first, it provides further corroboration for the argument that the April election was seriously flawed, and that the Election Commissioners were not acting impartially. Second, the court's verdict also shows that there was some progress being made, within the framework of the 1997 Constitution and Thai law, in pushing back against Thaksin's control. End comment.
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